

IN THE SUPREME COURT OF THE STATE OF DELAWARE

GEORGE THOMPSON,	§
	§ No. 708, 2011
Plaintiff Below-	§
Appellant,	§
	§ Court Below—Superior Court
v.	§ of the State of Delaware
	§ in and for New Castle County
MURATA WIEDEMANN, INC., et	§ C.A. No. 08C-06-250
al.,	§
	§
Defendants Below-	§
Appellees.	§

Submitted: December 30, 2011

Decided: January 17, 2012

Before **STEELE**, Chief Justice, **JACOBS** and **RIDGELY**, Justices

ORDER

This 17th day of January 2012, it appears to the Court that:

(1) The plaintiff-appellant, George Thompson, has petitioned this Court, pursuant to Supreme Court Rule 42, to accept an appeal from the interlocutory order of the Superior Court dated November 17, 2011, which granted the motion of defendants Murata Weidemann, Inc., et al., for summary judgment.

(2) Thompson filed his application for certification to take an interlocutory appeal in the Superior Court on December 2, 2011. On December 20, 2011, the Superior Court granted the application for

certification on the ground that, under Supreme Court Rule 41(b) (iii), this Court has not yet settled the issue of the application of the statute of repose contained in Del. Code Ann. tit. 10, §8127 to facts such as those presented in this case.

(3) Applications for interlocutory review are addressed to the sound discretion of this Court. In the exercise of its discretion, the Court has concluded that Thompson's application for interlocutory review fails to meet the requirements of Supreme Court Rule 42 and, therefore, should be refused.

NOW, THEREFORE, IT IS ORDERED that the interlocutory appeal is REFUSED.

BY THE COURT:

/s/ Henry duPont Ridgely
Justice